

REMARKS*Amendments*

Claims 1, 5, 6 & 7 are amended to expressly recite that it is the recited fusion protein that comprises the recited specific binding moiety or protease cleavage site. These amendments do not change the scope or subject matter of the claims, and introduce no new matter.

Double patenting

Claims 15-18 are dependent on claim 1, and are hence limited to a method of making a fusion protein comprising a functional displayed domain and a functional phycobiliprotein domain incorporated in a functional oligomeric phycobiliprotein, wherein the oligomeric phycobiliprotein provides a fluorescent tag, and wherein the fusion protein further comprises (a) a specific binding moiety selected from a streptavidin biotin-binding moiety, a biotinylated or biotinylatable moiety, and an antigen binding immunoglobulin moiety; or (b) a protease cleavage site between the displayed domain and the phycobiliprotein domain.

In contrast claims 11-14 of US 6,649,376 recite a method of making a fusion protein unencumbered by the fluorescent tag, specific binding moiety or protease cleavage site limitations of the pending claims. Hence, the patented and pending claims are of different, not coextensive scope.

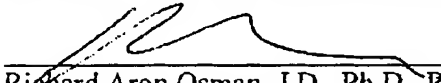
Definiteness

Re claims 5 and 7, the amended claims expressly state that the specific binding moiety or protease cleavage site are part of the fusion protein; hence, they are not only "covalently bound" to the fusion protein, they are peptide-bound as part of the fusion protein.

Re claim 6, the linker peptide may provide a functionalities such as a protease cleavage site (Specification, p. 7, lines 23-25).

The Examiner is invited to call the undersigned if she would like to amend the claims to clarify the foregoing or seeks further clarification of the claim language. Please charge/credit our Deposit Acct No. 19-0750 (order B00-016-3) any fees, extensions of time, or overcharges for this communication.

Respectfully submitted,
SCIENCE & TECHNOLOGY LAW GROUP


Richard Aron Osman, J.D., Ph.D., Reg. No. 36,627
Tel (949) 218-1757; Fax (949) 218-1767

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